

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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HUBERT W. DRAW, JR.,

Case No. 3:15-cv-00224-MMD-WGC

Petitioner,

ORDER

v.

ISIDRO BACA, *et al.*,

Respondents.

In this habeas corpus action, brought *pro se* by Hubert W. Draw, Jr., a Nevada prisoner, the respondents filed a motion to dismiss (dkt. no. 10) on September 14, 2015. Draw filed an opposition to the motion to dismiss (dkt. no. 19) on November 24, 2015. Respondents filed a reply (dkt. no. 20) on December 4, 2015.

On December 14, 2015, Draw filed a motion for leave to file an amended response to respondents' motion to dismiss (dkt. no. 21). Attached to that motion is the further response that Draw wishes to file.

On December 24, 2015, respondents filed a motion to strike Draw's motion for leave to file an amended response to their motion to dismiss (dkt. no. 22). Respondents filed no other response to Draw's motion. Draw did not respond to respondents' motion to strike.

Draw is a prisoner, litigating this habeas action *pro se*. In the interest of allowing Draw an opportunity to assert all arguments that he has in opposition to the motion to dismiss, the Court will grant his motion for leave to file a further response to the motion

1 to dismiss. The Court will order the proposed further response separately filed, and will  
2 treat it as a supplement to Draw's original response. Respondents will be allowed an  
3 opportunity to file a reply to the supplemental response to their motion to dismiss.


4 It is therefore ordered that petitioner's Motion for Leave of the Court to File an  
5 Amended Response (dkt. no. 21) is granted.

6 It is further ordered that the Clerk of the Court shall separately file the "Amended  
7 Response/Reply to Respondents' Motion to Dismiss" (currently on file as an attachment  
8 to the motion at dkt. no. 21). The Court will treat that document as a supplement to  
9 Draw's response to the motion to dismiss.

10 It is further ordered that respondents shall have thirty (30) days from the date of  
11 this order to reply to Draw's supplemental response to their motion to dismiss.

12 It is further ordered that respondents' motion to strike (dkt. no. 22) is denied.

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14 DATED THIS 15<sup>th</sup> day of January 2016.

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17 MIRANDA M. DU  
18 UNITED STATES DISTRICT JUDGE  
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